

“Bicycle Safety Enforcement Action” Guidelines

Introduction

People ride bicycles for many different reasons: fitness, recreation, or for transportation. Regardless of the reason for riding, bicyclists young and old are confronted with the dangers that riding in traffic can present. In Utah, each year nearly 900 bicyclists are hit and 6 are killed by motor vehicles. Over the past 10 years (1995-2004), Utah had the 11th highest bicyclist fatality rate in the nation. 93% of bicycle/motor vehicle crashes resulted in an injury to the bicyclist. Most if not all of these bicycle/motor vehicle crashes could be prevented if the motorist or bicyclist had been paying attention and obeyed existing traffic laws.

The purpose of the Bicycle Safety Enforcement Action (BSEA) is to increase safety for bicyclists through education and the enforcement of traffic laws. Law enforcement is a necessary component of bicycle safety. Stricter, more reliable, and consistent enforcement can limit violations and work to create behavior change. As with any law, lack of enforcement leads to a general disregard of the law. Law enforcement officers should be willing to educate about and enforce the traffic laws with motorists and bicyclists. The proper enforcement of laws represents the most immediate opportunity for improving bicycle safety.

This program will raise awareness among law enforcement personnel of the need to actively enforce bicycle safety laws, as well as to reach out and educate motorists and bicyclists of the proper way to share the road. Law enforcement officers should be knowledgeable of laws and of proper bicycle/motor vehicle interactions and then use this knowledge to educate bicyclists and motorists when opportunities arise.

In every state a bicycle is given the same right and responsibility as a motor vehicle. Many motorists and bicyclists do not know that bicycles are legally allowed on the road, and furthermore they were never taught how to safely interact with one another on the road. This presents a great opportunity for law enforcement personnel to educate both motorists and bicyclists that break traffic laws. Traffic laws exist to protect the safety of all those who use the roads regardless of mode of travel. When traffic laws are broken, lives are endangered.

Goal and Objectives

- Make roads safer for bicyclists and other road users.
- Decrease the number of bicyclist killed and injured each year, by reducing bicycle/motor vehicle crashes.
 - Improve compliance with traffic laws relating to bicycle safety through education and enforcement efforts.
 - Identify and correct violator and repeat violator behavior.
 - Raise awareness and educate the public on how motorists and bicyclists can safely share the road, by distributing educational materials, and through the media

How to Conduct the Bicycle Safety Enforcement Action (BSEA)

The BSEA is to be conducted by law enforcement officers to pro-actively enforce traffic laws relating to bicycle safety. Motorists and bicyclists observed violating traffic laws during the enforcement operation should be stopped. Enforcement should emphasize education initiatives.

Law officers are encouraged to take advantage of this special enforcement time to educate as many motorists and bicyclists as possible, as to the mutual duty each has to respectfully share the road.

By targeting specific violations, the law officer is essentially looking for some of the most common violations committed in bicycle/motor vehicle crashes. There are several advantages to this type of selective enforcement:

- Prevents crashes - focus on those violations that most often result in crashes.
- Promotes public support by answering the question, “Why am I being stopped?” The officer can teach that the violation is the type that is likely to result in a crash if it is not corrected. The public will see that safety is the message.
- Encourages officers to learn the bike laws.

Officers participating in the BSEA should understand which traffic violations lead to the greatest number of bicycle/motor vehicle crashes. Efforts throughout the operation will focus primarily on these violations. However, during the enforcement period if other violations are observed they should not be overlooked.

It is also recommended to conduct the BSEA in conjunction with another type of targeted enforcement such as speeding enforcement or red light running enforcement, since these violations are often contributing factors in bicycle/motor vehicle crashes.

Location:

The type of location selected for the BSEA is very important for success. With the help of traffic safety personnel and bicycle safety professionals, identify high-risk locations for bicyclist in your area. Select what street or streets work best for conducting the Bicycle Safety Enforcement Action. Look at streets where bicycling for any or all purposes (recreation, commuting, etc.) is common.

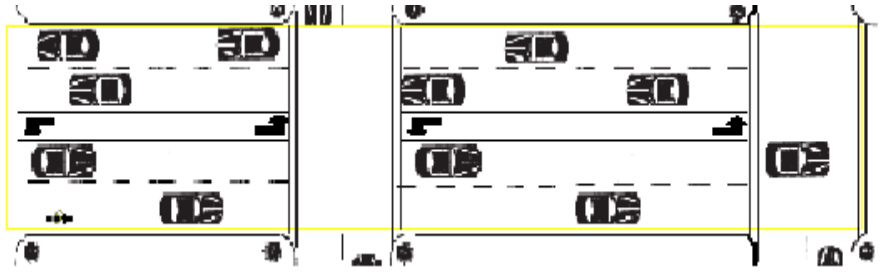
It is recommended that the selected enforcement location be on a road where bicycle/motor vehicle crashes have occurred. Usually, bicycling occurs on roads with less complex conditions such as streets that are no more than five-lanes (2-lanes in each direction plus center turn lane) with speed limits of less than 45 mph. In addition, select a road that has a good amount of traffic volume, but avoid areas and or times when traffic congestion occurs.

It is also recommended that the BSEA be conducted along a stretch of road where the intersections are controlled by an official traffic control device (stop sign or traffic light). Ideally, at least one of the intersections will be controlled by a stop sign.

Location Checklist

- ☐ Bicycling is common along the enforcement area
- ☐ Speed limit on road is 45 mph or less (preferred 35 mph or less)
- ☐ Enforcement area has at least 1 intersection
- ☐ Enforcement area has a good amount of traffic volume (avoid times of high traffic congestion)
- ☐ Enforcement area is on a road with limited number of traffic lanes (2-lane or 4-lane road recommended)
- ☐ Enforcement area is no larger 1 ½ to 2 blocks long
- ☐ If conducting multiple BSEA's choose a variety of locations (residential, commercial, around schools, around parks, etc.)

Below is an example of a suggested area that the Bicycle Safety Enforcement Action could take place in.



To ensure the safety of both the decoy bicyclist and motorist, this operation will follow the listed criteria:

- Operations will only be conducted in daylight hours, with fair weather conditions.
- The decoy bicyclist(s) should be an officer who feels comfortable and has skills and experience riding and handling a bicycle in traffic.
- The decoy bicyclist(s) will use due care to not endanger themselves or motorists.
- The decoy bicyclist(s) will wear clothing that is highly visible and a properly fitted bicycle helmet.
- The bicycle(s) used for the operation should be in good working condition. It is recommended a bike mechanic inspect the bikes used for the operation.
- Spotters, in regular street clothes, will be positioned at intersections or other locations that allow them to observe and document violations and radio chase vehicles.
- The general public will be given notice of the date, time and location of each operation.

Personnel & Equipment:

To conduct the Bicycle Safety Enforcement Action a minimum 4 law enforcement officers are needed. However, more officers may be used. Officers selected as decoy bicyclists and spotters should not be in uniform.

- 1 - 2 decoy bicyclist(s). If more decoy bicyclist decoys are wanted, a spotter can be substituted as a decoy bicyclist. If more than one decoy bicyclist is used for the operation, assign names to the bicyclist such as “Decoy 1” and “Decoy 2”.
- 1 - 2 spotter(s)
- 2 - 4 officers in chase vehicles (motorcycles, cruisers, etc.)

Equipment Checklist

- ☐ Radios for each officer involved in the Bicycle Safety Enforcement Action.
 - Head set radio is recommended for the decoy bicyclist.
- ☐ Bicycle(s) for the decoy bicyclist(s).
- ☐ Rear view mirror for each decoy bicyclist, either attached to helmet or handlebars.
- ☐ 2 - 4 chase vehicles (patrol cars and/or motorcycles). A motorcycle cop could be used as a chase vehicle and a spotter, if necessary.
- ☐ Computer accessible to run license plates.
- ☐ Hand held radar unit for spotter.

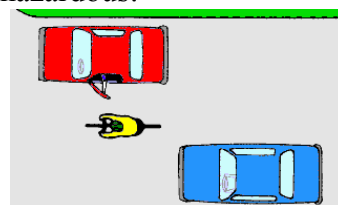
BSEA Procedures

After selecting a location, get the word out to the public about the BSEA by using the media. Inform the public about the purpose of the BSEA and provide tips on how to safely share the road. This should be done a day or so in advance by sending out a press release to the local media.

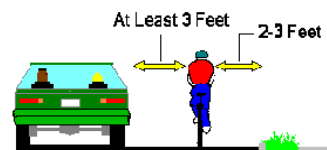
The operation will require at least one bicyclist decoy. This person should be an officer who is comfortable riding a bicycle in traffic and has the skills and experience to do so safely. Agencies may choose to have more than one decoy bicyclist. Bicyclist decoys will obey all traffic laws.

Lane position is important to ensure the bicyclist's safety. Utah law requires that a bicyclist ride along the right-hand edge of the "roadway" when moving at less than the normal speed of traffic. Roadway is defined in Utah Code as "*that portion of highway improved, designed, or ordinarily used for vehicular travel, exclusive of the sidewalk, berm, or shoulder*" (Utah Code 41-6-Definitions (41)). A bicyclist should not ride in the gutter, which is more hazardous. The following are reasons why riding in the gutter can be hazardous:

- Debris tends to collect in the gutter.
- A bicyclist riding in the gutter needs to constantly move to the left to avoid parked cars, and cars turning right.
- The bike's pedals can hit the curb on the down stroke, causing the bicyclist to lose control of his bike.
- A bicyclist riding in the gutter is less visible to other road users.

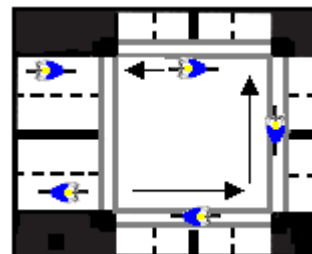


It is recommended that the bicyclist maintain a minimum of a 2-3 foot distance from the gutter and/or parked cars. Staying away from the gutter and parked cars allow the bicyclist room to operate and will keep the rider away from opening car doors as well as making the rider more visible to other road users.



The decoy bicyclist will ride along the right-hand edge of the travel lane (not the sidewalk) with the flow of traffic, along the selected enforcement area. It is recommended that the decoy bicyclist do different maneuvers while riding to simulate what a bicyclist that is actually going somewhere may do, such as moving into the lane to make left turns. Be creative, but be safe and obey all traffic laws.

The enforcement area should be large enough to allow the decoy bicyclist to pass through at least one intersection. Upon reaching the end of the enforcement area the bicyclist decoy should go to the other side of the street and head back in the other direction. On the right is one suggested way that the bicyclist decoy can legally move to the other side of the street.



While the decoy bicyclist rides along the selected route, the spotter will be on the side of the road to observe traffic. Spotters will have a hand-held radar unit to clock motor vehicle speeds as well as to look for other violations that endanger the bicyclists' safety.

When a violation is witnessed, the witness (the decoy bicyclist and/or the spotter) will radio the vehicle description, type of violation and lane position of the violator to the chase vehicle.

Good communication between the decoy bicyclist, the spotter, and the chase vehicle is very important. The decoy rider and spotter should communicate clearly over the radio to a chase vehicle when a violation has occurred. This information will allow the chase vehicle to know whom to stop.

A minimum of 2 chase vehicles will be needed for the selected enforcement area. The chase vehicles will use the information provided them by the decoy bicyclist and the spotter to locate and stop the violating motorist or bicyclist.

The direct contact between the officer and the motorist or bicyclist is the most significant part of the operation. It is important that it be an educational experience for the motorist or bicyclist and the officer. Officers will be given bicycle safety law booklets that can easily be used to show and teach motorists and bicyclists what was done improperly.

What Violations to Enforce

Crash studies show that certain errors by motorists and bicyclists lead to the greatest number of bicycle/motor vehicle crashes. These types of crashes result in the greatest number of injuries and deaths. It is these violations that should be targeted during the BSEA.

Motorist Errors -

- Failure to yield right-of-way
 - When turning left or right at intersections or into driveways/parking lots
 - When entering roadway
- Failure to yield at stop signs, yield signs and red lights
- Speeding
- Improper passing – passing too close (passing closer than 3-feet)
- Driving while impaired by alcohol or drugs

Bicyclist Errors -

- Failure to yield at stop sign and yield sign
- Running red lights
- Riding on the wrong side of the road, against the flow of traffic
- Failure to yield right-of-way
 - Riding out at mid-block location (entering the roadway without yielding)
 - Turning right or left
- Improper change of course (usually moving left unexpectedly)

The following is a list of state laws related to the above violations, followed by a brief discussion of issues associated with their enforcement. Although there are many laws affecting bicyclists, certain laws have a greater impact on bicycle safety than others.

41-6a-1102. Bicycle riders subject to chapter.

A bicyclist has all the rights and responsibilities as any operator of a vehicle. Bicyclists have a right to use the road, and should be granted that right by other road users. But with this right comes the inherent responsibility of obeying traffic laws. A traffic violation by a motorist and/or a bicyclist can put a bicyclists' safety at risk, all traffic violations should be enforced.

41-6a-1105. Operation of bicycle or moped on and use of roadway -- Duties.

A person operating a bicycle upon a roadway at less than the normal speed of traffic shall ride as near as practicable to the right-hand edge of the roadway except when: overtaking and passing another bicycle or vehicle proceeding in the same direction; preparing to make a left turn; traveling straight through an intersection that has a right-turn only lane that is in conflict with the straight through movement; or reasonably necessary to avoid conditions that make it unsafe to continue along the right-hand edge of the roadway including fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards, or a lane that is too narrow for a bicycle and a vehicle to travel safely side by side within the lane.

A bicyclist traveling at the speed of traffic has a right to take the lane, but if traveling slower must ride to the right as long as it can be done safely. However, instances do exist that require the bicyclist to take the lane. But before doing so, the rider must make sure that the lane is clear and it is safe to do so. A bicyclist must ride in the designated direction of traffic. Riding against the flow of traffic is dangerous and illegal.

41-6a-803. Moving a vehicle -- Safety.

A person may not move a vehicle which is stopped, standing, or parked until the movement may be made with reasonable safety. Motorists pulling out into traffic from parking stalls, parking lots, and driveways, without yielding the right-of-way to bicyclists leads to many bicycle/motor vehicle crashes.

41-6a-304. Obeying devices.

The operator of a vehicle (or bicycle) shall obey the instructions of any official traffic-control device. Many bicycle/motor vehicle crashes are the result of a motorist or bicyclist running a stop sign, stoplight, or a yield sign.

41-6a-601. Speed regulations -- Safe and appropriate speeds at certain locations -- Prima facie speed limits.

A person may not operate a vehicle at a speed greater than is reasonable and prudent under the existing conditions, giving regard to the actual and potential hazards then existing. Motorists may need to reduce their speed when approaching or safely passing a bicyclist.

41-6a-704. Overtaking and passing vehicles proceeding in same direction.

The operator of a vehicle overtaking a bicyclist proceeding in the same direction shall, pass to the left at a distance of no less than 3 feet and may not drive to the right side of the roadway until safely clear of the overtaken vehicle.

A bicyclist like any other road user needs space to maneuver. This is especially important in situations that may require a bicyclist to take the lane to avoid a hazard such as a car door, an animal, glass or other shoulder debris. Many of these situations may not even be perceived by the motorist, which makes it all the more important for a motorist to pass at a safe distance. Large trucks and vehicles traveling at high speeds create a lot of wind and noise that can either pull the bicyclist into their draft or startle the rider causing him/her to lose control of his/her bike. Therefore in these situations, it is recommended that even more passing space be given.

Many bicyclists can easily travel at speeds of 25-30 mph. Motorists, often do not realize this and will pass a bicyclist, then immediately cut the bicyclist off to make a right turn. This will

cause the bicyclist to apply his/her brakes abruptly and possibly to swerve around the vehicle into other traffic. The motorist may also simply hit the bicyclist.

41-6a-804. Turning or changing lanes – Safety

A person may not turn a vehicle or move right or left upon a roadway or change lanes until the movement can be made with reasonable safety and an appropriate signal has been given for 3 seconds. Motorists will often move right, either to make a right turn to or to get into position to make a right turn without checking the right side of their vehicle and blind spot for bikes, cars, pedestrians, etc.

41-6a-903. Vehicle turning left -- Yield right-of-way.

The operator of a vehicle intending to turn left shall yield the right-of-way to any vehicle approaching from the opposite direction which is so close to the turning vehicle as to constitute an immediate hazard.

Crash studies show that a motorist's failing to yield the right-of-way when turning left to an approaching bicyclist is one of the most common types of bicycle/motor vehicle crashes, and results in serious or fatal injuries 25% of the time. Motorists often either do not accurately judge the speed of the bicyclist or do not see the bicyclist. If the approaching vehicle (in this case the bicyclist) has to take any sort of evasive action, the person turning left fails to yield the right-of-way.

41-6a-1008. Vehicle crossing sidewalk -- Operator to yield.

The operator of a vehicle crossing a sidewalk shall yield the right-of-way to all traffic (including bicycles) on the sidewalk. Bicycles in Utah are legally allowed to ride in either direction on the sidewalk. A common type of bicycle/motor vehicle crash occurs when a motorist fails yield the right-of-way to sidewalk traffic before crossing the sidewalk.

Enforcement - an opportunity to educate

Motorists usually are not trained on how to treat and deal with bicyclists, and conversely very few bicyclists ever receive any type of traffic safety training. Because of this lack of education, an officer's contact with a motorist or bicyclist is a perfect opportunity to educate. Receiving a citation or written warning and a little explanation of what was done wrong may be all it takes for a motorist or bicyclist to correct their behavior.

It isn't easy for a law enforcement officer to pull over a motorist or bicyclist when a moving violation is committed, especially if a crash is avoided. However, prevention is the key to reducing the number bicycle/motor vehicle crashes. If an officer does not take action when a moving violation is committed, an opportunity to educate has been lost. When an officer decides to take action, he/she can educate the motorist or bicyclist as to what they did wrong, and be a positive influence for that person to change behavior. This will help prevent bicycle/motor vehicle crashes, which will lead to fewer bicycle injuries and fatalities.